



STATEMENT
OF THE
CIRCUMSTANCES ATTENDING THE
DEATH OF
WILFRED D. SPEER, ESQ.,

WITH COPIES OF TESTIMONY AND CORRESPONDENCE.

LONDON, ONTARIO.

JOHN CAMERON, BOOK AND JOB PRINTER, DUNDAS STREET WEST.

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CORRESPONDENCE AND TESTIMONY.

STATEMENT of circumstances attending the death of Wilfred D. Speer, Esq., of West End Lodge, Thames Ditton, Surrey, who was shot by a Soldier of the United States Army, on board a Steamboat on the Missouri, on the night of the 7th June, 1867; to which is appended a copy of testimony taken on oath on board the Steamboat the day following his death; together with an additional statement made by the Captain of the Steamboat on his return to St. Louis, Mo., July 16, 1867, and correspondence.

WILFRED D. SPEER, whose death, or rather as there seems but too good ground for believing, whose wilful murder is recorded in the following brief account, was a gentleman of fortune, who had, during the last few years, visited most parts of the East and West, for the sake of sport or in search of adventure. He was a Magistrate for the County of Surrey and a Captain in the Militia of that County, and one whose manners and character secured for him the good will and esteem of all with whom he came in contact.

In October, 1866, he arrived on this continent and passed the autumn and winter in visiting New Brunswick, Canada, the United States, and Cuba. In the month of May, 1867, he left London, Canada West, where he had been staying with the writer, and proceeded to Omaha, there to embark on board the steamer Octavia on her passage to Fort Benton, on the Missouri, from which point he intended to make his way to San Francisco. His last letter to the writer was dated Sioux City, 23rd May, 1867, in which he mentioned that there were a number of United States troops on board proceeding to the disturbed Indian districts. From that time no further notice of his movements was received until a paragraph appeared in the New York Times of the 28th June last, briefly recounting the manner of his shocking death on board the Octavia.

The writer, being an old and intimate friend of his and, to the best of his knowledge, the only personal friend of his family on this side of the Atlantic, at once placed himself in communication with the British Minister at Washington and with the British Consul at Chicago, and learned that the steamer Octavia would be at St. Louis, Mo., on her return voyage, on or about the 11th July, 1867, having on board the remains and effects of Captain Speer. He proceeded there to meet her, with a view of taking charge of the body as well as obtaining authentic statements of the manner of his death.

At Chicago the writer was joined by the acting British Consul of St. Louis, who would have accompanied him to St. Louis, but the train coming into collision with another, the acting Consul was amongst the passengers so much injured, that it was found necessary to send him back to Chicago, thus preventing his giving his aid in the prosecution of the necessary inquiries.

On arrival, however, at St. Louis, everyone seemed animated with but one disposition in the matter, viz: To render every assistance; and the unqualified opinion of all with whom the writer spoke on the subject tended to confirm him in the conclusion he had previously arrived at; that the death of Captain Speer was in fact a cold-blooded, deliberate murder. A murder by whom, and for what end committed, the subjoined statement of facts leaves little room for doubt.

Particular attention is called to the medical testimony, as to the position of the wound which caused the unfortunate gentleman's death. It is evident that he was not challenged by the sentry, nor had he attempted to force the post. The sentry was lying in wait 42 feet from the post assigned to him; he allowed his victim to pass, and, while in the act of stooping to unfasten the cabin door, took deliberate aim and shot him from behind.

That the crime will be thoroughly sifted at the instance of the British Legation at Washington, and that the perpetrators will be dealt with most strictly according to law, there can be no doubt; but in completion of the sacred duty owing to the memory of a friend, the writer thinks it well to record, whilst the matter is fresh and to circulate amongst those who he is confident will not allow it to be lightly put aside, the results of the preliminary action, which is the only part a private individual has the power to take.

COURTENAY F. TERRY,
Lieut. 60th Royal Rifles.

London, Ontario, Canada, July 20, 1867.

The following extract from the *St. Louis Republican* of the 13th of July, will serve to indicate to some slight extent the feelings entertained by the fellow passengers of the late Capt. Speer as to the culpability of the soldier who, under the pretext of "orders," murdered an inoffensive English gentleman:—

"DEATH OF CAPTAIN SPEER.—The passengers on the steamer Octavia upon the killing of the English officer, Captain Speer, adopted the following as expressive of their esteem for the deceased and of their condemnation of the criminal act by which he was killed:

"We sincerely deplore the death of our esteemed fellow passenger, Captain William D. Speer, who was killed on the steamer Octavia on the night of the 7th inst., by the intentional firing of a gun in the hands of the sentinel, William Barry.

"Captain Speer embarked on the steamer Octavia at Omaha City, Nebraska, on Sunday, 19th May, and had by his urbanity of manners, gentlemanly intercourse and conversational and social qualities won the esteem, so far as we know, of all the passengers.

"The day preceding his death was to all outward appearance the happiest of that voyage to him, as he displayed an unusual flow of spirits, and was often during the day seen romping and playing with the children on board.

"Truly, 'In the midst of life we are in death,' and how often is it that the finest and noblest specimens of manhood are stricken down by the Great Author of all things, that it may be written upon the tablets of memory, 'what shadows we are, what shadows we pursue.'"

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"Our fellow-passenger has gone, and whilst we cannot call him back, we deeply sympathize with the relatives and friends, and we assure them, that although he was in a strange land, yet kind and gentle hands placed his remains in the proper condition to be restored to them.

"We also assure the relatives and friends of Captain Speer, that a committee of investigation was appointed by a meeting of the passengers, and that said committee, after a careful and thorough investigation of the testimony, recommended that the severest punishment known to the law be dealt out to the sentinel who committed the culpable act."

To His Excellency,

SIR FREDERICK BRUCE,

H. B. M. ENVOY EXTRAORDINARY, AND MINISTER PLENIPOTENTIARY,
WASHINGTON.

{ London, Ontario, Canada,
July 20th, 1867.

Sir:—

I have the honor to forward for your Excellency's information, the enclosed copy of the Court of Inquiry held on board the steamer Octavia, near Fort Buford, Missouri river, regarding the death of Mr. W. D. Speer, a passenger on board the boat.

I also enclose the statement made to me by Captain La Barge (the Captain of the Octavia), on the 16th inst., of facts that had come to his knowledge since the Court of Inquiry, held on the 8th June last.

I beg also to add, that Captain La Barge told me that the general impression among the passengers, officers and crew of the Octavia was that the murder was committed with the full knowledge beforehand of Lieut. Harrigan, the officer in charge of the detachment.

I am informed that Lieut. Harrigan has just been promoted from the ranks, and boasts of being a deserter from Her Majesty's service; both the sentinel, private Barry, and Lieut. Harrigan, are reputed Fenians, and the general opinion of all classes in St. Louis, with whom I came in contact, is that Mr. Speer was murdered by them, solely because he was a British Officer.

In conclusion, I beg to state for your Excellency's information that I have forwarded copies of the enclosed documents, as well as of this letter, to Richard Benyon, Esq., M. P., George Cubitt, Esq., M. P., and Richard Garth, Esq., M. P.

I have the honor to be,

Your Excellency's most obedient servant,

COURTENAY F. TERRY,

Lieut. 60th Royal Rifles.

TESTIMONY taken by a Committee appointed on the 8th inst., to inquire into the causes that led to the death of CAPTAIN SPEER, of the British army, on the 7th instant, June, 1867.

JOSEPH C. LA BARGE, sworn: My name is Joseph C. La Barge; I am twenty-three years of age; I am pilot on the steamer Octavia, plying between Saint

Louis, Mo., and Fort Benton, Montana Territory. I was present on the night of the 7th of June, inst., and was in company with the deceased. When we got to the head of the stairway of the hurricane deck, I stopped to close the doors of the stairway. Deceased preceded me, and was first to meet the sentinel posted on said deck. I heard no challenge from sentinel; heard the report of sentinel's gun; saw and heard deceased fall; was about six or seven feet from deceased when he fell. If the sentinel had challenged deceased, I would have heard him. The sentinel, after deceased fell, challenged me. I remarked to him that he had shot Captain Speer. Sentinel told me to stay there until he called sergeant of the guard; he called the sergeant of the guard, and he came on deck. I know of nothing further.

(Signed,)

JOSEPH C. LA BARGE.

JAMES R. COOPER, being duly sworn: I am twenty-two years of age. I am carpenter of the steamer Octavia; was on the stern of the boiler deck of said boat on the night of the 7th of June inst. About a quarter of an hour to one o'clock a.m. of said night, I heard the report of a gun on hurricane deck of said boat. In a minute or two I went into the hurricane roof of said boat, and found Captain Speer lying at the aft end of Texas, near the door; he was not yet dead. I heard nothing said at the time, only the report of the gun; it was raining at the time, but not very hard. Lieut. Harrigan was present; he remarked to me not to speak of it until morning. Deceased lived about five minutes after I got to him. I went and called Dr. Fowler. Joseph C. La Barge was standing near deceased, and the engineers were looking out of the door of the hall of Texas. The sentinel was also present. Lieut. Harrigan ordered sentinel disarmed and placed under arrest. I know of nothing further.

(Signed,)

JAMES R. COOPER.

ALLEN FOWLER, being sworn, deposed and says: I am twenty-five years of age, and by profession a surgeon and physician; am a passenger on board of the steamer Octavia; am a regular graduate of the Medical College called the "University of Maryland." I was in my stateroom on the night of the 7th June, inst.; was called up about a quarter to one o'clock a.m. I immediately went on to the hurricane roof of said boat, where I found the body of Captain Speer, lying on his back on said roof, with head towards the shore. I proceeded to examine the body; felt for his pulse, but found none; felt for the contraction of the heart, but found it had ceased to contract, and then pronounced life extinct. Upon further examination I found he had been shot, the ball taking effect below and behind the left ear, ranging through the base of the brain, and coming out at the nose, carrying the tip end of the nose away; from the size of wound it must have been made with a musket or army ball; from the effect of said wound Capt. Speer died. There was present at the examination made by me, Jos. C. La Barge, James R. Cooper. I know nothing of the cause that led to the shooting of Capt. Speer.

(Signed,)

ALLEN FOWLER, M.D.

F. H. EASTMAN, being duly sworn, deposed and says that: I am forty-three years of age; am a passenger on board of the steamer Octavia. Lieut. Harrigan, James Cooper and myself were sitting on the stern of the boiler deck of said boat; in about one minute after Capt. Speer and Jos. C. La Barge left

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VICTOR JONES, being duly sworn, deposes and says: I am twenty-four years of age; I belong to the Thirteenth Regiment of the U. S. A.; I am corporal of one of the companies of said regiment; had charge of the guard on board of the steamer Octavia on the night of the 7th June, A.D. 1867. I placed the guard on the hurricane roof of said boat at twelve o'clock m., on the night of the 7th of June, as aforesaid; I placed one guard at the aft end of Texas of said boat, and one at the front end of Texas. The guard at the aft end of Texas is by the name of William Barry; he speaks the English language. My orders to said guards were as follows, to wit:—"If any one approaches the boat from the shore side to halt them once; if they did not halt and answer, they were to fire. If any band of persons or Indians were seen approaching the boat, they were to fire without halting." I gave no orders in relation to passengers on board of the boat. The guard, William Barry, I think at the time I placed him on watch was sober. The guards were relieved every two hours. Barry had been on guard about half an hour when the shooting occurred. Barry told me that he had shot a man when I went on the hurricane roof after hearing the shooting. Barry said that he thought that the man was an enemy; that he halted him; he made no answer and he then fired. I have had no orders from Lieut. Harrigan or the orderly sergeant to halt any passengers aboard the boat. I gave no orders to the sentinels on duty to halt any of the passengers aboard

of the boat. Lieut. Harrigan ordered me, after the shooting of Capt. Speer, to disarm the sentinel Barry, and put him under arrest; he is now under arrest.

(Signed,)

VICTOR JONES.

JOSEPH LA BARGE, being first duly sworn, deposes and says: I am fifty-one years of age; I am captain of the steamer Octavia. I was in my stateroom in Texas on the night of the 7th of June, A.D. 1867. Between twelve and one o'clock of said night I was called up by my son, Joseph C. La Barge; I got up immediately and went to the aft of Texas, where I found Captain Speer lying dead. I examined the wound; it was such a one that he must have died instantly; from the appearance of the wound deceased must have been stooping at the time he was shot. Standing by the corpse were my first engineer, Chas. Newell, and assistant engineer Graham, Dr. Fowler, one of the stokers, and my son, Jos. C. La Barge; the sentinel also. I understood from the sergeant of the guard that the sentinels were not allowed to permit any one to move about on the roof. When the Lieutenant came up I requested him to remove the sentinel, as I wanted no more shooting there. He (the Lieut.) immediately sent the guard below. It was not through my request that a guard was placed on the hurricane roof. Lieut. Harrigan after leaving Fort Rice said to me if I had no objection he would place a guard on the hurricane roof if he (Capt. La Barge) would permit. I agreed to it on the condition that the guard was not to interfere with the passengers and that they were not to walk on the roof disturbing the passengers. One of the guard was to be placed aft of the wheels and the other in front of the chimneys. Col. Powell said to me at Fort Rice that the troops were not to interfere with the passengers aboard of the boat. I saw the sentinel William Barry on the morning of the 8th of June, who shot Capt. Speer. I asked the sentinel if he was in his right mind at the time he shot Capt. Speer. He replied that he was and that he had done his duty and obeyed orders; his reply was in a most insolent tone. Capt. Speer I met first at Omaha, Nebraska; he telegraphed me from Quebec that he would meet me at Omaha; his name is *W. D. Speer, Captain of the 79th of the Royal Rifles of London; this information I received through a dispatch from him from Quebec. The sentinel was not on the evening of the 7th at the place agreed upon by Lieut. Harrigan and myself. I do not consider the troops essential to the safety of the boat or its passengers. I took the troops up the river under a contract from the government as deck passengers.

(Signed,)

JOSEPH LA BARGE.

WILLIAM W. SOUTHARD, being sworn, deposes and says: I am twenty-seven years of age. Am second engineer on the steamer Octavia. I was in my room in Texas when the shot was fired. I heard some one remark: "You have killed a friend," and one other remark that "It was the Englishman." I went out after hearing these remarks to the after end of Texas, where I saw Capt. Speer weltering in his blood; he died soon after I reached him.

(Signed,)

WM. W. SOUTHARD.

CHARLES C. NEWELL, being sworn, deposes and says: I am thirty-eight years of age, and first engineer of the steamer Octavia. I went to my

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oom in Texas about half past eleven on the night of the 7th of June, A. D. 1867. There was a sentinel on duty standing by the door of the after part of Texas; he did not challenge me. I asked him what his orders were; he said he had orders to shoot any man or thing on the bank. I don't think it was the same sentinel that shot Capt. Speer. I passed on the same side of the boat where the sentinel was stationed. I knew of no guard being stationed aft of the Texas until the night referred to.

(Signed,)

CHARLES NEWELL.

JACOB WARREN, being duly sworn, deposes and says: I am twenty-one years of age, and belong to the 13th Regiment of the regular army. I went on guard at ten o'clock, p. m., on the night of the 7th of June, A. D. 1867; was stationed on the after part of Texas. My orders were to challenge any person coming from the outside to get on to the boat, and if they did not halt to fire; if they halted, to call the sergeant of the guard, and to fire into a number of persons approaching the boat without halting. I gave these instructions to the sentinel that relieved me at 12 m., of the night; that sentinel is now under arrest.

(Signed,)

JACOB WARREN.

We, the COMMITTEE OF INQUEST, appointed to inquire into the cause of the death of Capt. W. D. Speer, a passenger on the steamer Octavia on the night of the 7th of June, A. D. 1867, do make this, our report:

That the said Capt. W. D. Speer was killed by the deliberate firing of a gun on the hurricane roof of the boat in the hands of the sentinel, William Barry. That the shooting was not in accordance with any instruction given to said sentinel, and that he deserves the most rigid punishment known to the law. And we, the Committee, do most earnestly insist (united in by the passengers and officers of said boat) that the extreme penalties of the law shall be inflicted upon said prisoner by the military for the gross violation of orders by which a fellow passenger lost his life. We enclose herewith the testimony taken in the case.

Signed by the Committee,

(Signed,)

THOS. E. TUTT, CHM. COM.,
GREEN CLAY SMITH,
SAM. McLEAN,
RICHARD LEACH,
F. H. EASTMAN,
GEO. McLEAN.

Attest.

W. J. McCORMACK,
Secretary Court.

(A true copy of the original.)

COURTENAY F. TERRY,
Lieut. 60th Royal Rifles.

TO COURTENAY F. TERRY, LIEUT. 60TH ROYAL RIFLES.

MY DEAR SIR,—

I desire to make a further statement to my testimony given before the

Court, convened to inquire into the shooting of the late Captain W. D. Speer, which I herewith submit:

After the shooting of Captain Speer the steamer Octavia proceeded on her way to Fort Buford. At this point the matter of Barry's arrest was referred to Col. Rankin, of the 31st Regiment, and he at first consented to keep Barry in confinement until the steamer Octavia had completed the trip to Fort Benton and returned to Fort Buford, when he agreed that Barry should be sent forward and turned over to Lt.-Gen. Sherman.

At this time Lieut. Harrigan interfered and expressed the wish to take Barry to Camp Cook, the place of destination for the men under his command, in order that he might then report him to Col. Andrews, in command of the Regiment to which Lieut. Harrigan and his men belonged, and prefer charges against him. Lieut. Harrigan stated to Col. Rankin his intention to prefer three distinct charges against Barry, as follows:

First.—Murder.

Second.—Disobedience of orders.

Third.—Conduct while on board the steamer unbecoming of a soldier.

To this Col. Rankin assented, stating his belief that this was the best course to pursue. Col. Rankin asked me if I could put Barry in irons. I told him I could. He then directed me to confine Barry and put irons upon him. I put manacles upon his wrists and ankles and had them riveted and kept him upon the main deck.

A few days after the boat left Fort Buford Lieut. Harrigan directed the boat's engineer to remove the manacles from Barry's limbs. This the engineer refused to do unless so ordered by me. He then told the engineer that he could find means for removing the irons without coming to me. He procured a file and entirely removed the irons from Barry's limbs.

After Barry was released he remained quietly on board until we reached Camp Cook.

At Camp Cook Lieut. Harrigan left the boat with his men, and Barry was taken on shore under guard.

At the time of our arrival Col. Andrews, in command at Camp Cook, was absent. Lieut. McGinnis, Post Adjutant, assured me that Barry should be kept safely until the return of Col. Andrews.

The steamer Octavia passed on her way to Fort Benton, and was absent about one week. On my return I stopped at Camp Cook, and had an interview with Col. Andrews, at which he informed me that Lieut. Harrigan had not preferred charges of any kind against Barry.

Col. Andrews made statements to me (the words of which I do not now recollect) which left upon my mind the impression that Lieut. Harrigan justified Barry in the shooting of Capt. Speer, and that he manifested no intention of preferring charges against Barry.

Col. Andrews told me he could not deliver Barry to me to be forwarded to Lt.-Gen. Sherman, he said he felt sure this would become an international affair and it was his duty to retain Barry in confinement in order that he might be ready to turn him over to the proper authorities when required so to do.

I desire further to say that Patrick McShain, Assistant Surgeon, U. S. A., at Fort Rice stated that Lieut. Harrigan was constantly under the influence of liquor, and that he had prescribed for him when he was labouring under attacks of delirium tremens and had several times given Lieut. Harrigan medicine to quiet him when he was suffering from excessive indulgence in liquor.

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Surgeon McShain was a passenger on board the Octavia from Omaha to
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Surgeon McShain gave me his address and stated to me if charges were
eferred against Lieut. Harrigan, and he was brought to trial, reference might
had to him (McShain) as he was able to make such disclosures as would ruin
out. Harrigan's character as an officer.

I have the honor to be, my dear sir,

Your obedient servant,

JOS. LA BARGE,

Master steamer Octavia.

St. Louis, Mo., July 16th, 1867.

STATE OF MISSOURI, }
County of St. Louis, } S. S.

I, John C. Coonley, a Notary Public, within and for the County
State aforesaid, do hereby certify that Joseph La Barge, master of the
amer Octavia now lying at the port of Saint Louis, did in my presence
his name to the annexed communication in writing addressed to Courtenay
Terry, Lieut. 60th Royal Rifles, and I certify that I believe him to be a
table person and entitled to full credit.

A witness whereof I hereto set my hand and affix my notarial seal this 16th
of July, A. D., 1867, which is the date of the signing of the instrument
said.

(Signed,)

JOHN C. COONLEY,

Notary Public,

Saint Louis, Co. Mo.

(True copy,)

COURTENAY F. TERRY,

Lieut. 60th Royal Rifles.